

**THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

CAMILLE BROWN

(Plaintiff)

v.

THE STATE OF OKLAHOMA ex rel.
BOARD OF REGENTS FOR THE
UNIVERSITY OF OKLAHOMA, et al.,

(Defendant)

Case No.: CIV-13-662-M

FILED

JUL 17 2014

CARMELITA REEDER SHINN, CLERK
U.S. DIST. COURT WESTERN DIST. OKLA.
BY , DEPUTY

Webster University Family Educational Rights and Privacy Act (FERPA)

I, Camille Brown respectfully ask that the enclosed 3 page documentation be added to the Court record.

Respectfully Submitted,



Camille Brown

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#120-162

Irving, Texas 75063

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Family Educational Rights and Privacy Act (FERPA)

Purpose

The purpose of the Family Educational Rights and Privacy Act of 1974 (FERPA), as Amended, is to afford certain rights to students concerning their education records. The primary rights afforded are the right to inspect and review the education records, the right to seek to have the records amended, and the right to have some control over the disclosure of information from the records. Webster University accords all the rights under the law to students.

Annual Notification

Students will be notified of their rights as stipulated by FERPA annually by publication on the World Wide Web, in the student newspaper *The Journal*, or any method deemed appropriate by the Registrar.

Procedure to Inspect Education Records

The law provides students with the right to inspect and review information contained in their education records, to challenge the contents of their education records, to have a hearing if the outcome of the challenge is unsatisfactory and to submit explanatory statements for inclusion in their files if they feel the decisions of the hearing panels to be unacceptable. The Vice President of Students and Enrollment Management at Webster University has been designated by the institution to coordinate the inspection and review procedures for student education records, which include admissions, personnel, academic, financial files, and placement records.

Students wishing to review their education records must make a written request to the Office of the Registrar. Students must be given access to their educational records within 45 days from the date of the request. If a student does not live within commuting distance of Webster University and does not have an unpaid financial obligation to Webster University or a pending disciplinary action, the student may request, at his expense, copies of his record in lieu of inspection using copier charges listed in the Registrar's Office. In cases where the student is denied a copy of the record, the student retains the right to the inspection of the records.

FERPA provides that students may not inspect and review the following:

- financial information submitted by their parents;
- confidential letters and recommendations associated with admissions, employment or job placement, or honors to which they have waived their rights of inspection and review;
- education records containing information about more than one student, in which case the institution will permit access only to that part of the record which pertains to the inquiring student;
- confidential letters and recommendations placed in their files prior to January 1, 1975, provided those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected.

Correction of Education Records

Students who believe that their education records contain information that is inaccurate or misleading, or is otherwise in violation of their privacy or other rights, should follow these procedures in the order they are listed:

1. Discuss their problems informally with the Registrar. If the decisions are in agreement with the students' requests, the appropriate records will be amended. If not, the students will be notified within a reasonable period of time that the records will not be amended; and they will be informed by the Registrar of their right to a formal hearing.
2. If the decision of the Registrar is unsatisfactory, a request for a formal hearing must be made in writing to the Academic Affairs Vice President who, within a reasonable period of time after receiving such requests, will inform students of the date, place, and the time of hearing. Students may present evidence by one or more persons of their choice, including attorneys, at the students' expense. The hearing panel that will adjudicate such challenges will be the Academic Vice President, Vice President of Students and Enrollment Management, and the Dean of the students' academic division. Decisions of the hearing panel will be final, will be based solely on the evidence presented at the hearing, will consist of written statements summarizing the evidence and stating the reasons for the decisions, and will be delivered to all of the members of the hearing panel, if the decisions are in favor of the students.
3. If the decisions are unsatisfactory to the students, the students may place within the education records statements commenting on the information in the records or statements setting forth any reasons for disagreeing with the decisions of the hearing panels. The statements will be placed in the education records, maintained as part of the students' records, and released whenever the records in question are disclosed.
4. Students who believe that the adjudications of their challenges were unfair or not in keeping with the provisions of FERPA may request, in writing, assistance from the President of Webster University.
5. Further, students who believe that their rights have been abridged may file complaints with the Family Educational Rights and Privacy Office (FERPA), Department of Health, Education, and Welfare, Washington, D.C. 20201, concerning the alleged failures of Webster University to comply with the provisions of FERPA.

Disclosure of Education Records

Webster University will disclose information from a student's education records only with the written consent of the student, except:

- to school officials who have a legitimate educational interest in the records;
- to officials of other institutions, upon request, in which students seek to enroll;
- in connection with a student's request for or receipt of financial aid, as necessary;
- to determine the eligibility, amount, or conditions of the financial aid, or to enforce the terms and conditions of the aid;
- to accrediting agencies carrying out their accreditation function;
- to persons in compliance with a judicial order;
- to other persons in an emergency in order to protect the health or safety of students or other persons;
- to officials of the U.S. Department of Education, the Comptroller General, and state and local educational authorities, in connection with certain state or federally supported education programs;
- if required by state law that was adopted before November 19, 1974;
- to organizations conducting certain studies for or on behalf of the University;
- to an alleged victim of any crime of violence the results of any institutional disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime; and,
- to parents of students under 21 who have violated the University's alcohol policy.

All of these exceptions are permitted under FERPA.

Record of Request for Disclosure

Webster University will maintain a record of all requests for and/or disclosure of information from a student's education records. The record will indicate the name of the party making the request, any additional party to whom it may be re-disclosed, and the legitimate interest the party had in requesting or obtaining the information. The record may be reviewed by the student.

Directory Information

FERPA states that the disclosure of directory information is optional. Therefore, Webster will disclose directory information, which includes the following: the student's name, enrollment status, degrees, date of attendance, e-mail address, telephone number, major field of study, admission status, campus, school, division, class standing (freshman, sophomore, junior, or senior), awards, participation in officially recognized activities, sports, weight and height of members of athletic teams, and photographs. The University limits disclosure of the following directory information except as deemed appropriate by the Registrar or staff member who have undergone FERPA training: local and permanent addresses and class schedule. (Modified March 2001)

Requests for Nondisclosure of Directory Information

Students may restrict the disclosure of "directory information" by completing the appropriate form at the Office of the Registrar, Academic Advising Center, or the Office of Graduate and Evening Student Admissions. The University will honor this request but cannot assume responsibility to contact the student for subsequent permission to release information. Nondisclosure will be enforced until the information is subsequently released by the student. Regardless of the effect upon the student, the institution assumes no liability for honoring the request to restrict disclosure of directory information. Restriction of directory information will preclude Webster University's ability to confirm your attendance or, if in effect upon graduation, degree attained for employment, credit, or other purposes.

Definitions

For the purpose of this policy, Webster University has used the following definitions of terms:

Student: any person who attends or has attended Webster University.

Directory Information: information as defined by Webster University that would not generally be considered harmful to the student or an invasion of privacy if disclosed.

Education records: any record, stored on any medium, maintained by Webster University or agent of Webster University, which is directly related to a student, except:

- personal record kept by a staff member if it is kept in the sole possession of the maker of the record and is not accessible or revealed to any other person except a temporary substitute of the maker of the record;
- an employment record of a person whose employment is not contingent on the fact that he or she is a student; the record may be used only in relation to the individual's employment;
- records maintained by Webster University if the record is maintained solely for law and enforcement purposes revealed only to law enforcement agencies of the same jurisdiction, and the unit does not have access to education records maintained by the University;
- records maintained by Health Services if the records are used only for treatment of a student and made available only to those persons providing the treatment; and,
- alumni records that contain information about a student after they are no longer in attendance at the University and that do not relate to the person as a student.

School Official: a person who is:

- employed by the University in an administrative, supervisory, academic or research, or support staff position; or,
- a person employed by or under contract to the University to perform a special task, such as the attorney or auditor.

Legitimate educational interest: a school official has such an interest if the official is:

- performing a task that is specified in their position description or by a contract agreement;
- performing a task related to a student's education; or,
- performing a task related to the discipline of a student.